

March 26, 1975

originally referred to General File. It was indefinitely postponed by action of the floor on March 18th. The motion was made to raise it and that motion is now pending, to reconsider the action of indefinitely postponing it.

SENATOR MILLS: Mr. President, and members of the body, since I was on the prevailing side of the motion to indefinitely postpone LB 310 and since Dworak has explained to me that he has a motion that would make this a more significant bill and clear up the misconceptions that were presented here when the indefinitely postpone motion was made and that voting. I have asked for reconsideration at this time. I would like to yield to Senator Dworak.

SPEAKER: Senator Dworak.

SENATOR DWORAK: Mr. President, colleagues, I will be very quick about this. There is a copy of this amendment on everybody's desk that was distributed this morning. I feel that five days ago when this came up I did a very inadequate job of explaining this and I feel that some people that were very concerned and very involved were short changed on a job that I was inadequate on in my explanation. I have changed some wordings and we were using the terminology "discount" and a lot of people construed this to mean that this was a price fixing bill, a bill that would be against the consumer and we changed that wording and we are now talking about paying or allowing a rebate fees for abstracting services to any person other than the client. So it doesn't affect the client at all as far as the wording of the reduced fees is concerned. It only reflects payment of fee to somebody other...reduced fee to somebody other than the client. The amendment is on your desk. I would appreciate your taking a quick look at it. The only thing we are saying here is that the statement or bill that is presented to the client must reflect the true amount charged. The statement or bill must reflect the true amount charged and it must be paid to no other person than the client. I would appreciate your consideration of this.

SPEAKER: The chair recognizes Senator Duis.

SENATOR DUIS: Mr. President, let me thank you first and thank Senator Dworak and Senator Mills for taking it up this morning. I was going to be absent this afternoon. That's why I told them this and they took it up this morning. Now bear with me in waiting just a moment. Actually, Senator Dworak, you haven't done a thing there. You say, "client" but you haven't designated who the client is so consequently the client could be anyone of a number of people just depending on who he bills for the transaction. If a real estate broker picked up the abstract and gave it to the abstractor, then he becomes the client. If the owner brings it to the client, I mean the abstractor, then he becomes the client. If the savings and loan takes it, then he becomes the client just depending on who the abstractor wants to bill. Now let me say this to you. If you want to restrict the abstractor to the fact that they are responsible and responsible only and their license in jeopardy because of it, all you have to do is put a period at the end of the word services and leave the rest off and it would say, paying or allowing a rebate